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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BENJAMIN PETRAS,

Plaintiff,

v.

WILLIAM GITTERE, *et al.*,

Defendants.

Case No. 2:23-cv-00592-GMN-BNW

**STIPULATION TO CONTINUE
EARLY MEDIATION CONFERENCE
(FIRST REQUEST)**

Plaintiff Benjamin Petras, acting *pro se*, and Interested Party, Nevada Department of Corrections, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Nathan M. Claus, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby stipulate to Continue the Early Medication Conference scheduled for June 14, 2024, at 8:30am. This is the parties first requested extension.

This case is a *pro se* civil rights action pursuant to 42 U.S.C. §1983. Plaintiff, who was an inmate in the lawful custody of the Nevada Department of Corrections (NDOC) at this time this lawsuit was filed, was released from custody on October 18, 2023. An Early Mediation Conference is set for June 14, 2024, at 8:30am. ECF No. 19. The Court previously issued an order establishing the requirements for the inmate early mediation conference (EMC) in this case, ECF No. 13, and then reset the date for the EMC for June 14, 2024,

ECF No. 19, after there were issues with the mail service to Plaintiff's current address.
ECF No. 8; 15; 20.

Due to the issues regarding his mail service, Plaintiff needs more time to prepare for the EMC and is requesting an extension of at least two weeks. Interested Party does not oppose continuing any deadlines. Good cause exists to extend the deadline because Plaintiff is out of custody and has had problems with his mailing address with the Court. This request is not done to stall litigation, because mediation at this time would not be productive given the inability of the parties to completely resolve this case with Plaintiff having no time to prepare for the mediation due the mail issues. The parties respectfully request a continuance of the Early Mediation Conference scheduled for June 14, 2024, at 8:30 am to a time the Court determines.

DATED this 12th day of June, 2024.

DATED this 12th day of June, 2024.

AARON D. FORD
Attorney General


/s/ Nathan M Claus.
Nathan M. Claus. (Bar No. 15889)
Deputy Attorney General
Attorneys for Defendants

/s/ Benjamin Petras
Benjamin Petras
Plaintiff, Pro Se

ORDER

IT IS SO ORDERED. The Early Mediation Conference will be continued to a later date consistent with the Court's availability.

DATED June 13, 2024.


UNITED STATES MAGISTRATE JUDGE